

Remarks

Reconsideration of the application is requested in view of the amendment above and comments which follow.

The Examiner has rejected Claims 1-3 and 7-8 under 35 U.S.C. § 112 as being indefinite. With the above correction of Claim 8, it is believed that any inconsistency has been overcome and the claims are now definite. The word "common" has been introduced into Claim 8 to remove any possibility of any lack of clarity, but the meaning of Claim 8 is not changed in any manner. Claim 8 still relates to the ability for the specimens to be immersed in a sequence of different common liquids.

In the Office Action, the Examiner has rejected Claims 1-2 and 7 under 35 U.S.C. § 102(b) as being anticipated by Bil's U.S. Patent No. 4,202,289. While the indicated allowability of Claims 3 and 8 is gratefully acknowledged, it is submitted that all claims are in condition for allowance, as explained in greater detail below.

Bil's has been considered, and the applicant believes that Bil's does not disclose the feature of the immersion of the plurality of specimens in an annular trough. Bil's discloses the immersion of a plurality of specimens into a beaker partially filled with liquid, but the present invention is directed to an arrangement where the liquid is present in an annular trough, an example of which is shown in the drawings for this application. In the drawings, there is illustrated a ring-shaped region of liquid with a center free of any liquid, thus forming an annulus. Thus, it is submitted that Claim 1 is clearly not anticipated by Bil's.

On the issue of obviousness, it is submitted that Claim 1 also would not have been obvious. The present invention utilizes an annular trough for containing the liquid which has the advantage of only providing liquid in the areas where the specimens are arranged, i.e. aligned with the annularly spaced positions around a circle. The annular shape does not involve liquid in the center, where no specimens are present. Thus, the present invention is an improvement, in that it uses less liquid.

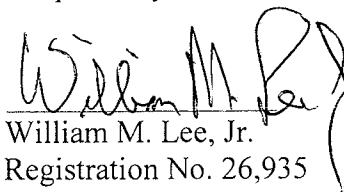
Additionally, the provision of an annular structure allows for the presence of a recess provided in the first structure which can slidably accommodate a central axis attached to the second structure, as shown in the drawing figures. Such an arrangement allows for accurate relative positioning of the first and second structures during raising/lowering of the second structure and also during rotation of the second structure. These advantages facilitate the use of

automation, for example, by use of a robotic arm as disclosed in the present application. Bils relates to manual operation, only, and teaches away from an automated approach, as can be seen from the discussion in Bils at column 1, lines 20-24. It is therefore submitted that the structure, as claimed in Claim 1, would not have been obvious in view of Bils.

The remaining claims are submitted to be allowable by virtue of their being dependent upon Claim 1. While, again, the indicated allowability of Claims 3 and 8 is gratefully acknowledged, it is submitted that all claims are in condition for allowance, and the Examiner's further and favorable reconsideration in that regard is urged.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William M. Lee, Jr.", with a stylized flourish extending from the end.

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